IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2037 OF 2006

Mrs. Saeeda Shabbir Nulwala & anr. ..Petitioners.

Vs.

Abbas Alibhai Motiwala & anr. ..Respondents.

...

Mr. N.A. Nasikwala for the Petitioners.

CORAM: DR. D.Y. CHANDRACHUD, J.

13th June, 2006.

P.C. :

On a perusal of the deed of assignment, the Appellate Bench of the Small Causes Court has found that the right to recover arrears of rent prior to the date of assignment was not specifically assigned to the Petitioners. The deed of assignment was dated 20th February, 1998 while the demand for the arrears was for the period from January to December 1997. The judgment of the Appellate Bench is supported by the decision of the Supreme Court in **N. M. Engineer v. Narendra Singh Virdi** (AIR 1995 SC 448). No case for interference has been made out. The Petition is dismissed.